

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-cv-606-MOC**

TY BELT,

Plaintiff, pro se,

v.

WIX PAYMENT SYSTEMS, et al.,

Defendants.

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ORDER

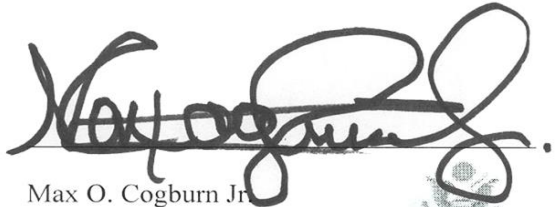
THIS MATTER is before the Court on Plaintiff's Motion for Entry of Judgment or Motion for Issuance of Scheduling Order. (Doc. No. 8). Defendants have filed a response in opposition. (Doc. No. 12). For the reasons stated in Defendants' brief in opposition, the Court denies Plaintiff's motion. Specifically, as Defendants note in their brief, Plaintiff has not served Defendants properly in accordance with Rule 4 of the Federal Rules of Civil Procedure. An entry of default and/or default judgment is therefore not proper.

As Defendants note, more than 90 days have passed since November 4, 2022, when Plaintiff filed his Complaint, and Plaintiff has yet to effect proper service, despite being put on notice of his improper service attempt almost three months ago.

Because Plaintiff is proceeding pro se, the Court will allow Plaintiff thirty days from entry of this Order in which to properly serve Defendants. If Plaintiff fails to properly serve Defendants within thirty days of entry of this Order, the Court will dismiss this action without prejudice and without further notice to Plaintiff.

IT IS SO ORDERED.

Signed: June 27, 2023



Max O. Cogburn Jr.
United States District Judge